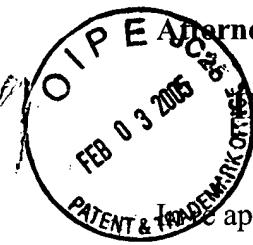


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Attorney Docket No. SMTR-001/02US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

the application of Brad W. BLUMBERG et al.

Serial No.: 09/774,119

Examiner: Julio R. Perez

Confirmation No.: 1143

Art Unit: 2681

Filed: January 31, 2001

For: **POSITION-BASED INFORMATION ACCESS DEVICE AND METHOD OF
SEARCHING**

United States Patent and Trademark Office
Customer Service Window, Mail Stop Issue Fee
Randolph Building
401 Dulany Street
Alexandria, VA 22314

ISSUE FEE TRANSMITTAL

Transmitted herewith are the following documents:

- Issue Fee Transmittal (Form PTOL- 85) for the above-identified application
- Comments on Statement of Reasons for Allowance

Fees:

- Issue Fee of \$700.00
- Other Fees: \$15.00 for 5 Patent Copies.

Total fee: \$715.00

Payment of Fees:

- Check for \$715.00 for the total fee is attached.
- Please charge \$____ to Deposit Account No. 50-1283 for the total fee. This paper is being submitted in duplicate.

The Director is hereby authorized to charge any fee, including the issue fee and publication fee as well as any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

Dated: February 3, 2005

Respectfully submitted,
COOLEY GODWARD LLP

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By:

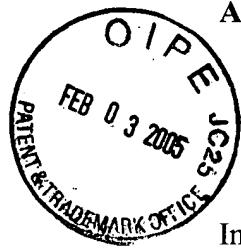


Erik B. Milch
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Attorney Docket No. SMTR-001/02US

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Brad W BLUMBERG et al.

Serial No.: 09/774,119

Examiner: Julio R. Perez

Confirmation No.: 1143

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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

A statement of reasons for allowance was set forth in the Notice of Allowance mailed on January 25, 2005, in connection with the above-identified application.

While the Applicants agree that the pending claims are allowable for at least the reasons set forth in the Examiner’s statement, the Applicants submit that the invention as recited by the claims and as described in the present application is patentable over the art of record for reasons in addition to those listed in the Examiner’s statement. For example, Applicants note that the Examiner’s statement addresses elements of the independent claims. Applicants note that the language of the claims as allowed defines the invention and the language in the Examiner’s statement should not be construed as limiting the claims in any manner. Moreover, the claims contain recitations in addition to those stated by the Examiner that provide additional bases for patentability over the art of

record. Accordingly, the Applicants reserve the right to pursue claims of different scope than those in the present application. For example, such claims may not necessarily need to include the elements identified in the Examiner's Statement of Reasons for Allowance in the present application.

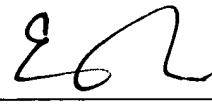
This statement commenting on the reasons for allowance is timely submitted.

Dated: February 3, 2005

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